

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

CARLTON BLEAU,
Plaintiff,

v.

C.A. No. 10-156 S

STATE OF RHODE ISLAND,
Defendant

ORDER

The Report and Recommendation of United States Magistrate Judge Jacob Hagopian filed on April 27, 2010 in the above-captioned matters is hereby accepted pursuant to Title 28 United States Code § 636(b)(1). No objections having been filed to the Report & Recommendation, the instant action is DISMISSED as duplicative of the Habeas action filed in C.A. 10-103ML; further, the filing fee docketed in this matter is transferred and credited to the "first" Habeas action (C.A. 10-103ML) and the Amended Petition for Writ of Habeas Corpus (document #10) filed in the instant action is to be docketed as filed in that action as well.

Finally, because this Order dismisses the instant action in its entirety, Magistrate Judge Hagopian's April 7, 2010 Report and Recommendation (document #8) on Petitioner's Motion for Leave

to Proceed *in forma pauperis* (document #3) is hereby passed as MOOT.

By Order,



Deputy Clerk

ENTER:



William E. Smith
United States District Judge

Date:

5/19/10